

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

MOXIEBRIDGE LLC AND	§	
CONSTRUCT CAPITAL LLC,	§	
	§	
Plaintiffs,	§	
	§	Civil No. 3:21-CV-0606-E
v.	§	
	§	
LARX ADVISORS, INC.,	§	
	§	
Defendant.	§	

**ORDER OF DISMISSAL**

Plaintiffs' Complaint appears to predicate subject matter jurisdiction upon an agreement between the parties. It alleges, "The agreement between the parties stipulates that the United States Federal Court sitting in the County of Dallas shall have exclusive jurisdiction in relation to any claim, dispute or difference concerning the agreement." The parties are not diverse, and Plaintiffs allege no claims involving federal law. Federal jurisdiction cannot be conferred by an agreement between the parties. *Giannakos v. M/V Bravo Trader*, 762 F.2d 1295, 1298 (5th Cir. 1985).

On March 18, 2021, the Court ordered Plaintiffs to file, within 21 days, an amended complaint that alleges a basis for federal jurisdiction. The Court cautioned that the action would be dismissed without prejudice for want of jurisdiction if they did not comply. Plaintiffs did not comply with the March 18 Order. On April 27, 2021, the Court ordered Plaintiffs to amend their

complaint to show a basis for federal jurisdiction within 10 days. The Court instructed that failure to comply would result in the action being dismissed without prejudice and without further notice. To date, Plaintiffs have not filed an amended complaint. Accordingly, this action is **dismissed without prejudice** for want of subject matter jurisdiction.

**SO ORDERED.**

Signed May 12, 2021.

A handwritten signature in black ink, appearing to read 'Ada Brown', written over a horizontal line.

ADA BROWN  
UNITED STATES DISTRICT JUDGE